

REMARKS

In the final Office action dated January 21, 2005, claim 53 was rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 5, 10, and 12-14 of U.S. Patent No. 6,139,527. Claims 34, 36, 38-40, 43, 48-50, 52, 53, 55, 60, 61, 65, 66, 83 and 84 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,709,224 (“Behl”) in view of U.S. Patent No. 5,885,278 (“Fleischman”).

Claims 41 and 42 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Office action also stated that claims 68 and 72-81 were allowable. Applicant respectfully submits that withdrawn dependent claims 69, 70, 71 and 82 should be allowed as well.

By the present amendment, claims 34, 46, and 69 have been amended; claims 39-42, 53-67 and 84 have been cancelled; and claims 85-100 have been added. Claims 34, 36, 38, 43, 48-50, 68, 72-74, and 77-81, and 83-100 are pending and under consideration in the present application. Claims 35, 37, 44-47, 51, 54, 56-59, 62-64, 67, 69-71, 75, 76, and 82 were withdrawn from consideration as being drawn to an unelected species. Although withdrawn from consideration, claims 46 and 69 have been amended to correct minor typographical errors. Applicant respectfully requests reconsideration of the present application.

DRAWINGS

The final Office action indicated that the previously submitted proposed drawing for Figure 8A was accepted. Accordingly, one replacement sheet of new formal drawings adding Figure 8A is hereby submitted as an attachment to this amendment and labeled "Replacement Sheet," in accordance with 37 C.F.R. § 1.21(d).

OBVIOUSNESS-TYPE DOUBLE PATENTING

Claim 53 was rejected under the judicially created doctrine of obviousness-type double patenting based on U.S. Patent No. 6,139,527. A terminal disclaimer is submitted concurrent herewith to obviate this rejection.

SECTION 103 REJECTION

Claims 34, 36, 38-40, 43, 48-50, 52, 53, 55, 60, 61, 65, 66, 83 and 84 were rejected under Section 103(a) as being unpatentable over Behl in view of Fleischman. Applicant respectfully requests that the Section 103 rejection be withdrawn in view of the amendments to the claims.

Independent claim 34 has been amended to include subject matter from dependent claims 39, 40 and 42. Claim 42 was objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, Applicant respectfully requests that independent claim 39, and all claims dependent thereon (including the withdrawn claims still pending in the present application), be allowed.

New independent claim 85 has been added to include subject matter from previously presented claims 34, 39, 40 and 41. Claim 41 was objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, Applicant respectfully requests that new independent claim 85, and all claims dependent thereon, be allowed.

CONCLUSION

Applicant respectfully requests favorable reconsideration and allowance of the claims at an early date. Applicant further requests that the claims presently withdrawn from consideration as being drawn to an unelected species be considered and allowed as well, to the extent that they depend from an allowed claim. If the Examiner has any comments or questions regarding any of the foregoing, kindly telephone the undersigned.

Respectfully submitted,

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